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P. 1

**BEST AVAILABLE COPY****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants:	John LACOMBE et al.	Confirmation No.:	3871
Serial No.:	09/932,541	Group Art Unit:	2162
Filed:	08/17/2001	Examiner:	St. John Courtenay
For:	Hardware Implementation Of An Application-Level Watchdog Timer	Docket No.:	200301694-1

**DECLARATION UNDER RULE 131(A)**

Mail Stop Amendment  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Date: July 12, 2005

Sir:

John LACOMBE and Theodore F. EMERSON, applicants in the above-identified patent application, declare as follows:

1. That prior to March 31, 2001, Messrs. Lacombe and Emerson were employed as engineers for Compaq Computer Corporation;
2. That prior to March 31, 2001, Messrs. Lacombe and Emerson conceived of a hardware implementation of an application-level watchdog timer;
3. That said watchdog timer included a computer system, comprising at least one processor, a system memory coupled to said processor, at least one input/output device coupled to said processor, and a watchdog timer device, wherein the computer system executes an operating system with at least two protection layers, one or more computer applications, and an application watchdog driver that monitors user designated computer applications for periodic messages, wherein if the watchdog driver receives a periodic message from all user-designated computer applications in a predetermined period of time, the watchdog driver delivers a command to clear the watchdog

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timer device, and further comprising a message passing interface that transmits signals between the two protection layers, wherein the watchdog driver executes in one protection layer and the application executes in another protection layer and wherein the periodic message is transmitted from the application to the application watchdog driver through the message passing interface;

4. That Messrs. Lacombe and Emerson received an initial draft of a patent application for said watchdog timer sometime prior to March 31, 2001, as evidenced in Exhibits A and B attached hereto; and
5. That after Messrs. Lacombe and Emerson received this initial draft of said watchdog timer, subsequent revisions were made to the patent application for said watchdog timer on April 9, 2001, May 22, 2001, June 14, 2001, and July 30, 2001—prior to its eventual filing on August 17, 2001 as evidenced in Exhibit B attached hereto.

The declarants further state that the above statements were made with the knowledge that willful false statements and the like are punishable by fine and/or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that any such willful false statement may jeopardize the validity of this application or any patent resulting therefrom.

DATE

7/12/05

John LACOMBE



DATE

Theodore F. EMERSON

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DATE

7/14/2005

DATE

John LACOMBE



Theodore F. EMERSON